

upon the table, and the President shall be immediately notified of the Senate's action.

The majority leader.

#### ORDER OF BUSINESS

Mr. SCHUMER. Mr. President, I ask unanimous consent that the vote on confirmation of the Meyer nomination occur at 5:30 p.m. on Monday, October 4, and that if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### LEGISLATIVE SESSION

Mr. SCHUMER. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### PROMOTING PHYSICAL ACTIVITY FOR AMERICANS ACT—MOTION TO PROCEED

Mr. SCHUMER. Mr. President, it is my understanding the Senate has received a message from the House of Representatives to accompany S. 1301.

The PRESIDING OFFICER. The Senator is correct.

Mr. SCHUMER. I ask that the Chair lay before the Senate the message to accompany S. 1301, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mrs. BLACKBURN), the Senator from Texas (Mr. CORNYN), the Senator from Oklahoma (Mr. INHOFE), the Senator from Kansas (Mr. MORAN), the Senator from Kentucky (Mr. PAUL), the Senator from Florida (Mr. RUBIO), and the Senator from Alabama (Mr. TUBERVILLE).

The result was announced—yeas 50, nays 43, as follows:

[Rollcall Vote No. 402 Leg.]

#### YEAS—50

Baldwin	Hickenlooper	Reed
Bennet	Hirono	Rosen
Blumenthal	Kaine	Sanders
Booker	Kelly	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Hassan	Padilla	Wyden
Heinrich	Peters	

#### NAYS—43

Barrasso	Graham	Risch
Blunt	Grassley	Romney
Boozman	Hagerty	Rounds
Braun	Hawley	Sasse
Burr	Hoeven	Scott (FL)
Capito	Hyde-Smith	Scott (SC)
Cassidy	Johnson	Shelby
Collins	Kennedy	Sullivan
Cotton	Lankford	Thune
Cramer	Lee	Tillis
Crapo	Lummis	Toomey
Cruz	Marshall	Wicker
Daines	McConnell	Young
Ernst	Murkowski	
Fischer	Portman	

#### NOT VOTING—7

Blackburn	Moran	Tuberville
Cornyn	Paul	
Inhofe	Rubio	

The motion was agreed to.

The PRESIDING OFFICER. The Senator from New Jersey.

#### IRON DOME

Mr. MENENDEZ. Mr. President, it was my intention to come to the floor to ask unanimous consent for a \$1 billion replenishment for Iron Dome. We Democrats believe that this is incredibly important for the safety and security of the State of Israel, our ally.

Unfortunately, Senator PAUL, who has an amendment to my unanimous consent request, could not be here tonight, and, as a courtesy to him, we are postponing until Monday, but on Monday I intend to come to the floor and ask for that unanimous consent.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

#### DEBT LIMIT

Mr. SCHUMER. Mr. President, I thank my colleague.

Mr. President, so a few moments ago, the Senate voted to proceed to go into the House message on the debt ceiling suspension until December of 2022. For the information of all, this vote will only require a majority threshold and is a necessary procedural step before cloture can be filed on the House-passed legislation.

Now, despite Republicans' twisted logic for wanting the debt limit to be addressed while actively blocking that from happening, the basic facts have not changed. The debt must be addressed; it will be addressed; and America cannot default.

We Democrats are not asking Republicans to vote with us. If they want to vote to stop checks from going to veterans and payments to Social Security recipients, they can do so. But what we are saying is simply the Republicans ought to get out of the way so Democrats can suspend the debt limit.

That is what Republicans have asked for. Leader MCCONNELL talked about that idea repeatedly on the floor over the last several weeks, and it is the best way to avoid financial catastrophe without endangering the American people.

#### PROMOTING PHYSICAL ACTIVITY FOR AMERICANS ACT

The PRESIDING OFFICER. The Chair lays before the Senate the message from the House.

The senior assistant legislative clerk read as follows:

*Resolved*, That the bill from the Senate (S. 1301) entitled "An Act to provide for the publication by the Secretary of Health and Human Services of physical activity recommendations for Americans.", do pass with an amendment.

#### MOTION TO CONCUR

Mr. SCHUMER. Mr. President, I move that the Senate concur in the House amendment.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] moves to concur in the House amendment.

#### MOTION TO CONCUR WITH AMENDMENT NO. 3835

Mr. SCHUMER. Mr. President, I move that the Senate concur in the House amendment to S. 1301 with an amendment.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] moves to concur in the House amendment to S. 1301 with an amendment numbered 3835.

The amendment (No. 3835) is as follows:

(Purpose: To add an effective date)

At the end add the following:

#### SEC. \_\_\_\_ EFFECTIVE DATE.

This Act shall take effect on the date that is 1 day after the date of enactment of this Act.

Mr. SCHUMER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays are ordered.

#### AMENDMENT NO. 3836 TO AMENDMENT NO. 3835

Mr. SCHUMER. I have an amendment at the desk.

The PRESIDING OFFICER. The clerk will report.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] proposes an amendment No. 3836 to amendment No. 3835.

The amendment (No. 3836) is as follows:

(Purpose: To modify the effective date)

On page 1, line 3, strike "1 day" and insert "2 days".

#### MOTION TO REFER WITH AMENDMENT NO. 3837

Mr. SCHUMER. I move to refer S. 1301 to the Committee on Finance, with instructions to report back forthwith with an amendment.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

The Senator from New York [Mr. SCHUMER] moves to refer S. 1301 to the Committee on Finance, with instructions to report back forthwith with an amendment No. 3837.

The amendment is as follows:

(Purpose: To add an effective date)

At the end add the following: